

MARLBORO TOWNSHIP ZONING BOARD

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AUGUST 13, 2013

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THE MEETING OF THE MARLBORO TOWNSHIP ZONING BOARD WAS CALLED TO ORDER BY THE ZONING BOARD CHAIRMAN MICHAEL SHAPIRO AT THE MARLBORO TOWNSHIP OFFICES, 1979 TOWNSHIP DRIVE, MARLBORO AT 8:00P.M.

MR. SHAPIRO READ THE MEETING NOTICE, ADEQUATE NOTICE PURSUANT TO THE OPEN PUBLIC MEETING ACT OF 1977 HAS BEEN GIVEN OF THIS MEETING BY PUBLICATION IN THE ASBURY PARK PRESS, AND BY POSTING IN THE MUNICIPAL BUILDING IN THE TOWNSHIP OF MARLBORO, FILED IN THE TOWNSHIP CLERK'S OFFICE AND PLACED ON THE TOWNSHIP WEBSITE AND CHANNEL 77.

ROLL CALL

**PRESENT ... MR. LEVIN, MS. BAJAR, MR. SHAPIRO, MR. WEILHEIMER,
MR. ZWERIN, DR. ADLER, MR. SOLON**

ABSENT... MR. YOZZO, MS. DI GRANDE

PROFESSIONALS PRESENT... MS. NEUMANN, MR. CUCCHIARO

SALUTE THE FLAG

PUBLIC SESSION

No one from the public spoke.

A motion to approve/amend the minutes of June 25, 2013 was offered by Mr.Shapiro, seconded by Mr.Zwerin. In favor: Ms. Bajar, Mr.Shapiro, Mr.Zwerin, Dr.Adler, Mr.Solon.

A motion to approve/amend the minutes of July 9, 2013 was offered by Mr.Shapiro, seconded by Mr. Zwerin. In favor: Mr. Levin, Mr.Shapiro, Mr.Zwerin, Dr. Adler, Mr. Solon.

Z.B. 13-6479 KLATSKY – PUBLIC HEARING – BULK VARIANCE

Exhibits A-1 - A-20 were marked into evidence.

Fred Klatsky , Esq. represented the applicant. The site is located at 307 Bayview Drive, Block 153.02 Lot 3 in the R-80 zone.

Lorali Totten, P.E. testified on behalf of the applicant. The applicant is proposing to construct a 1,464 s.f. building addition, to be utilized as a gymnasium, at the northwest corner of the existing

dwelling and to also construct a 7,200 s.f. tennis court in the rear yard, and to install eight 875 watt light fixtures with shield at a height of twelve feet around the tennis court. Drywells will be installed to accept the additional runoff from the gymnasium addition.

The applicant agreed to plant four evergreen trees, four to six feet in height, in a staggered pattern along the property line to provide a buffer.

The applicant also agreed to install a chain link fence around the proposed tennis court twelve feet high coated in either green or black.

Laura Neumann, P.E. reviewed her report and discussed the requested variances with the Board.

Workshop

Offered: Shapiro

Seconded: Bajar

Board members have no objections, except Mr. Levin had no comment at this time

Out of Workshop

Offered: Shapiro

Seconded: Bajar

A motion in the affirmative was offered by Mr. Shapiro, seconded by Mr. Weilheimer. In favor: Ms. Bajar, Mr. Shapiro, Mr. Weilheimer, Mr. Zwerin, Dr. Adler, Mr. Solon. Opposed: Mr. Levin.

**Z.B. 12-6463A M & M @ MARLBORO ROUTE 79, LLC – PUBLIC HEARING
PRELIMINARY & FINAL SITE PLAN**

Matt Weilheimer stepped down from this application.

Entered into evidence were exhibits A-1 – A-25

Salvatore Alfieri, Esq. represented the applicant. The site contains 313 feet of frontage along the west side of Route 79 opposite the intersection of Lloyd Road, Block 122 Lot 27.04 within the C-2 zone. Currently, the site is vacant with the rear portion of the property being wooded with the exception of an existing stormwater basin associated with the CVS Pharmacy on adjoining Lot 27.03.

The site was granted Minor Subdivision and Preliminary and partial Final Site Plan Approval on October 7, 2009 to create Lot 27.04 and adjoining Lot 27.03 and to construct a CVS Pharmacy on Lot 27.03, as well as an 11,800 s.f. retail building and a 3,000 s.f. bank on Lot 27.04.

The applicant was granted a Use Variance approval for Lot 27.04 by resolution dated April 23, 2013 to revise the previously approved retail building and bank to a 10,800 s.f. retail building

and a convenience store/fuel service use.

The applicant is seeking Preliminary & Final Site Plan approval to construct a one story 5,496 s.f Quick Chek. convenience store with fuel dispensing service consisting of 16 fuel dispensers within 8 islands with 2 attendant kiosks beneath a 52' x 132' canopy toward the Route 79 portion of the property. The applicant also proposes to construct a 1 story 10,800 s.f. multi tenant building west of the proposed convenience store having 8 proposed tenant areas.

Ronald Aulenbach, Director of Engineering from Edgewood Properties spoke on behalf of the applicant. They are requesting the following variances:

1. The minimum rear yard setback to a principal building is 50 ft, 40.8 is proposed for the multi tenant retail building
2. 10' x 20' parking stalls are required; 34 10' x 18' spaces are proposed
3. Driveways shall have a minimum width of 20' for one way traffic & 25' for two way traffic; 24; is proposed for two way traffic along the rear of the multi tenant building
4. Loading/unloading space with a minimum width of 12 ft. & minimum length of 35 ft. is required for every building having over 5,000 s.f.; 10.9 ft. is proposed along the rear of the multi tenant building

The parcel borders a contaminated site. Before the applicant bought the property, professionals tested the land for toxins. With the exception of a small area that is part of the cleanup requirement there are no recognizable environmental issues or concerns on the balance of the site.

Keith Cahill, and engineer who has worked for Quick Chek, testified that it will be a 24 hour operation and will employ between 35 and 50 individuals. Eight to ten people will work each shift.

This application is being carried to the meeting of September 24, 2013, without further notice.

Z.B. 12-6437A TIBA ASSOCIATES – MEMORIALIZATION OF RESOLUTION GRANTING PRELIMINARY & FINAL SITE PLAN APPROVAL

A motion in the affirmative was offered by Mr. Shapiro, seconded by Mr. Levin. In favor: Mr. Levin, Mr. Shapiro, Mr. Zwerin, Mr. Solon.

Z.B. 13-6483 TACOPINO – MEMORIALIZATION OF RESOLUTION GRANTING BULK VARIANCE APPROVAL

A motion in the affirmative was offered by Mr. Shapiro, seconded by Mr. Zwerin. In favor: Mr. Shapiro, Mr. Zwerin, Mr. Solon.

A motion to adjourn was offered by Mr. Shapiro, seconded by Mr. Zwerin.

Respectfully submitted

Donna Pignatelli

